

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Eric L. Barsness, et al.	:	Date: July 13, 2010
Group Art Unit:	2161	:	IBM Corporation
Examiner:	Cindy Nguyen	:	Intellectual Property Law
Serial No.:	10/824,054	:	Dept. 917, Bldg. 006-1
Filed:	April 14, 2004	:	3605 Highway 52 North
Title:	DYNAMICALLY MANAGING COMPUTER RESOURCES BASED ON VALUATIONS OF WORK ITEMS BEING PROCESSED	:	Rochester, MN 55901

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir or Madam:

AMENDMENT AND STATEMENT REGARDING COMMON OWNERSHIP

This paper is being filed in response to the final Office Action dated May 13, 2010. Please amend the above identified application as follows.

Docket No.: ROC920030052US1
Serial No.: 10/824,054

STATEMENT REGARDING COMMON OWNERSHIP

Applicants make the following representation on the record: U.S. Patent Publication 2004/0221038 to Clarke et al. and the present application serial no. 10/824,054 were, at the time the invention of the present application serial no. 10/824,054 was made, owned by International Business Machines Corporation of Armonk, N.Y.¹

The above representation is made to remove *Clarke* as a potential reference under 35 U.S.C. §103. See MPEP 706.02(1)(2)

¹ Applicants make no representation as to whether their invention was made before or after the filing of the application for the *Clarke* patent.